

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

S-2 17 Cr. 548 (PAC)

-v- :

MEMORANDUM & ORDER

JOSHUA ADAM SCHULTE, :

Defendant. :

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HONORABLE PAUL A. CROTTY, United States District Judge:

On December 5, 2019 Schulte requested that he be granted an extension to file his response to the Government's motion pursuant to Section 6(c) of the Classified Information Procedures Act ("CIPA"). (*See* Dkt. 208).<sup>1</sup> Schulte argues that his Section 6(c) response is not yet ripe because the Court has not yet resolved all of the disputed CIPA issues. He further requests that after the Court resolves all CIPA issues he be provided an additional two weeks to file an as-applied constitutional challenge.

Under the Court's adopted scheduling order, Schulte's response to the Government's Section 6(c) motion was due on December 6, 2019, including any as-applied challenge to the Government's proposed redactions. This deadline was established so that the Court would have submissions from both parties in advance of the hearing pursuant to Section 6(c) on December 16, 2019. Under Section 6(c), the Court will consider whether the proposed substitutions afford the defendant substantially the same ability to make his defense as the specific classified information.

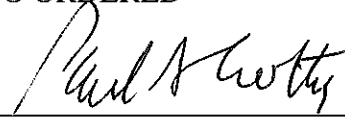
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<sup>1</sup> The Government's Section 6(c) motion was filed on November 26, 2019. (*See* Dkt. 198).

Accordingly, Schulte's request for an extension is DENIED. There is no basis for the request, and it would be inefficient. Schulte is ordered to provide his response to the Section 6(c) motion by December 10, 2019.

Dated: New York, New York  
December 9, 2019

SO ORDERED

A handwritten signature in black ink, appearing to read "Paul A. Crotty", written over a horizontal line.

PAUL A. CROTTY  
United States District Judge